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Attorney for Plaintiffs ROY SMITH and VICKI SMITH

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ROY SMITH and VICKI SMITH

*Plaintiffs,*

vs.

EAGLE MOLDING COMPANY #1; KEVIN  
P. McCOOL; and DOES 1 to 100 inclusive,

*Defendants.*

ANTHONY J. POIDMORE, Esq.

CIV NO.: S-04-1245 LKK GGH

STIPULATION RE: DISMISSAL OF  
DEFENDANTS WITH PREJUDICE  
[ FRCP, RULE 41 ]

COMES NOW Plaintiffs LEROY SMITH and VICKI SMITH, by and through their attorneys of record, THE LAW OFFICES OF ANTHONY J. POIDMORE, and Defendants, EAGLE MOLDING COMPANY #1; KEVIN P. McCOOL, by and through their attorneys of record, WOOD, SMITH, HENNING & BERMAN, LLP, and BROWNWOOD CHAZEN & CANNON, attorneys for intervenor, LIBERTY MUTUAL, and stipulate that this entire action shall be dismissed, with prejudice.

Although the terms of the settlement have been agreed to but will not be finalized until later this year, the parties further agree that the court will retain jurisdiction of this matter for purposes of

enforcing all provisions of the settlement heretofore entered into between the parties.

WOOD, SMITH, HENNING & BERMAN, LLP

Dated: 5-25-07

By /s/ Richard Freeman

Attorney for Defendants

LAW OFFICES OF ANTHONY J. POIDMORE

Dated: 5-25-07

By /s/ Anthony J. Poidmore

Attorney for Plaintiff

BROWNWOOD CHAZEN & CANNON

Dated: 5-29-07


By /s/ Robert Luster

Attorney for Intervenor

**ORDER**

GOOD CAUSE APPEARING and pursuant to the stipulation of counsel, it is hereby ordered that this action is dismissed, with prejudice.

Dated: June 1, 2007.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT